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Attorneys for Defendants, County of Orange,

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 SOUTHERN DIVISION – SANTA ANA**

ORANGE COUNTY CATHOLIC
 WORKER, an unincorporated association;
 LISA BELL; SHAWN CARROLL;
 MELISSA FIELDS; LARRY FORD;
 CAMERON RALSTON; KATHY
 SCHULER; GLORIA SHOEMAKE, as
 individuals,

Plaintiffs,

v.

ORANGE COUNTY; THE CITY OF
 ANAHEIM; THE CITY OF COSTA
 MESA; and THE CITY OF ORANGE,

Defendants.

Case No. 8:18-cv-00155 DOC (KESx)

**SUPPLEMENTAL DECLARATION OF
 THEODORE LUCKHAM IN
 RESPONSE TO OSC WHY A
 PRELIMINARY INJUNCTION
 SHOULD NOT ISSUE**

I, Theodore Luckham, declare as follows:

1. I am an employee of the County of Orange (“County.”) I have personal knowledge of the matters set forth in this Declaration and if called upon to testify as to the accuracy of its contents, I could and would do so.

2. I am employed by the County’s Department of Public Works (“OCPW”) as an Administrative Manager in charge of Operations and Maintenance. I have held this position since February 2017. In this role, I perform duties relating both to OCPW and the Orange County Flood Control District (“District”).

1 3. I have over 20 years of experience in my field and previously served as a
2 Senior Manager of Regulatory Affairs as well as a Manager of Operations and Maintenance
3 for Southern California Edison.

4 4. As part of my duties as an Administrative Manager of Operations and
5 Maintenance for OCPW, I oversee activities and staff on OCFCD property along the Santa
6 Ana River ("SAR"). I routinely visit the SAR, averaging three times per week during the
7 fourth quarter of 2017, and daily since January 22, 2018.

8 5. On February 6, 2018, the Court issued its order enjoining the County from
9 enforcing penal code trespass in and around the Santa Ana River.

10 6. At my direction, I instructed my staff to photograph any new tents or
11 encampments that they observed along the Santa Ana River channel since February 6, 2018.

12 7. Since that time, there have been a noticeable number of people establishing
13 new campsites in areas in and around the Santa Ana River, both in the Project Area lying
14 Taft Avenue/Ball Road and the I-5 Freeway/Memory Lane, and outside the Project Area.

15 8. On February 8, 2018, OCPW observed and photographed new tents and
16 encampments within the Project Area.

17 9. A new campsite and tent was observed and photographed by OCPW personnel
18 at my direction on the east bank of the Santa Ana River between Taft Avenue and the
19 railroad tracks. On information and belief, as of February 6, 2018, there was no campsite at
20 this location. A true and correct copy of a picture of this tent, taken February 8, 2018, is
21 attached hereto and incorporated herein as Exhibit "46".

22 10. A new campsite and tent was observed and photographed by OCPW personnel
23 at my direction in the Project Area north of Katella on the east bank of the Santa Ana River.
24 On information and belief, the tent depicted on the hill in that photograph was not present as
25 of February 6, 2018. A true and correct copy of a picture of this tent, taken February 8,
26 2018, is attached hereto and incorporated herein as Exhibit "47".

27 11. On February 8, 2018, OCPW observed and photographed new tents and
28 encampments outside the Project Area.

1 12. A new campsite and tent was observed and photographed by OCPW personnel
2 at my direction on the east side of the Santa Ana River near Fifth Street. On information
3 and belief, no tent was present in that location as of February 6, 2018. A true and correct
4 copy of a picture of this tent, taken February 8, 2018, is attached hereto and incorporated
5 herein as Exhibit "48".

6 13. A new campsite was observed and photographed by OCPW personnel at my
7 direction located under Segerstrom Avenue Bridge. This location is actually within the
8 Santa Ana River channel. On information and belief, no campsite was present in this area
9 as of February 6, 2018. A true and correct copy of a picture of this campsite, taken
10 February 8, 2018, is attached hereto and incorporated herein as Exhibit "49".

11 14. Another new campsite was observed and photographed by OCPW personnel at
12 my direction located under Fairview Avenue Bridge. This location is actually within the
13 Santa Ana River channel. On information and belief, no campsite was present in this area
14 as of February 6, 2018. A true and correct copy of a picture of this campsite, taken
15 February 8, 2018, is attached hereto and incorporated herein as Exhibit "50".

16 15. A new campsite was observed and photographed by OCPW personnel at my
17 direction located under Fairview Avenue Bridge. This location is actually within the Santa
18 Ana River channel. On information and belief, no campsite was present in this area as of
19 February 6, 2018. A true and correct copy of a picture of this campsite, taken February 8,
20 2018, is attached hereto and incorporated herein as Exhibit "51".

21 16. Another new campsite was observed and photographed by OCPW personnel at
22 my direction located under the Edinger Avenue bridge. On information and belief, no
23 campsite was present in this area as of February 6, 2018. OCPW personnel observed that
24 the wire cages blocking the tunnels under the bridge structure had been removed. A true
25 and correct copy of a picture of this campsite, taken February 8, 2018, is attached hereto and
26 incorporated herein as Exhibit "52".

27 17. On February 9, 2018, OCPW observed and photographed new tents and
28 encampments within the Project Area.

1 18. A new campsite and tent was observed and photographed by OCPW personnel
2 at my direction on the east side of the Project Area north of Katella. On information and
3 belief, no tent was present at that location as of February 6, 2018. A true and correct copy
4 of a picture of this tent, taken February 9, 2018, is attached hereto and incorporated herein
5 as Exhibit "53".

6 19. Another new campsite and tent was observed and photographed by OCPW
7 personnel at my direction on the east side of the Project Area north of Katella. On
8 information and belief, no tent was present at that location as of February 6, 2018. A true
9 and correct copy of a picture of this tent, taken February 9, 2018, is attached hereto and
10 incorporated herein as Exhibit "54".

11 20. Another new campsite and tent was observed and photographed by OCPW
12 personnel at my direction on the east side of the Project Area north of Katella. On
13 information and belief, no tent was present at that location as of February 6, 2018. A true
14 and correct copy of a picture of this tent, taken February 9, 2018, is attached hereto and
15 incorporated herein as Exhibit "55".

16 21. Another new campsite and tent was observed and photographed by OCPW
17 personnel at my direction on the east side of the Project Area north of Katella. On
18 information and belief, no tent was present at that location as of February 6, 2018. A true
19 and correct copy of a picture of this tent, taken February 9, 2018, is attached hereto and
20 incorporated herein as Exhibit "56".

21 22. Another new campsite and tent was observed and photographed by OCPW
22 personnel at my direction on the east side of the Project Area north of Katella. On
23 information and belief, no tent was present at that location as of February 6, 2018. A true
24 and correct copy of a picture of this tent, taken February 9, 2018, is attached hereto and
25 incorporated herein as Exhibit "57".

26 23. Another new campsite and tent was observed and photographed by OCPW
27 personnel at my direction on the east side of the Project Area north of Katella. On
28 information and belief, no tent was present at that location as of February 6, 2018. A true

1 and correct copy of a picture of this tent, taken February 9, 2018, is attached hereto and
2 incorporated herein as Exhibit "58".

3 24. Another new campsite and tent was observed and photographed by OCPW
4 personnel at my direction on the east side of the Project Area north of Katella. On
5 information and belief, no tent was present at that location as of February 6, 2018. A true
6 and correct copy of a picture of this tent, taken February 9, 2018, is attached hereto and
7 incorporated herein as Exhibit "59".

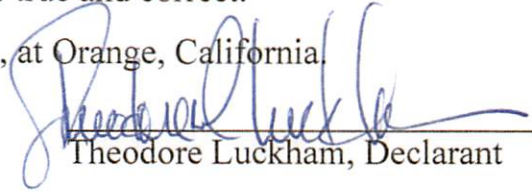
8 25. Another new campsite and tent was observed and photographed by OCPW
9 personnel at my direction on the west side of the Project Area south of Orangewood
10 Avenue. On information and belief, no tent was present at that location as of February 6,
11 2018. A true and correct copy of a picture of this tent, taken February 9, 2018, is attached
12 hereto and incorporated herein as Exhibit "60".

13 26. Another new campsite and tent was observed and photographed by OCPW
14 personnel at my direction on the west side of the Project Area north of Orangewood
15 Avenue. On information and belief, no tent was present at that location as of February 6,
16 2018. A true and correct copy of a picture of this tent, taken February 9, 2018, is attached
17 hereto and incorporated herein as Exhibit "61".

18 27. Another new campsite and tent was observed and photographed by OCPW
19 personnel at my direction on the west side of the Project Area north of Orangewood
20 Avenue. On information and belief, no tent was present at that location as of February 6,
21 2018. A true and correct copy of a picture of this tent, taken February 9, 2018, is attached
22 hereto and incorporated herein as Exhibit "62".

23 I declare under the penalty of perjury under the laws of the United States of America
24 and the State of California that the foregoing is true and correct.

25 Executed this 9th day of February, 2018, at Orange, California.

26 
27 Theodore Luckham, Declarant
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